

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

In the Matter of

Civil Citation No. 70622

Norman H. Harlock Jr.
Glenroy C. Schlisser

7920 Bank Street

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on December 16, 2009, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 13-7-310, 312, failure to eliminate junk, trash and debris, failure to store garbage in rodent resistant containers with tight fitting lids on residential property known as 7920 Bank Street, 21224.

On November 13, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector Ray Harmon issued a Code Enforcement citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,000.00 (one thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on November 5, 2009 for removal of trash and debris, and repair defective door and windows. This Citation was issued on November 13, 2009.

B. Photographs in the file show junk, trash and debris in the front and rear yard of this rowhome, including an old television set, cat litterbox filled with water, discarded box fan, an old upholstered sofa on the front porch unprotected from the weather, piled tarps and carpeting, and scattered trash and debris. This violates prohibitions against the accumulation of junk, trash and debris on residential property, and prohibitions against creation of possible harborage for rats. Photographs also show trash and garbage improperly stored in cans without lids. The property appears to be vacant.

C. The Citation also states that the exterior front door and a rear window are broken. Photographs show the front screen door ajar, but the main front door appears to be secure. There is no evidence in the file showing a broken rear window. However, Respondents are on notice that windows and doors must be kept in good repair, and that an additional Citation may be issued and enforced if reinspection finds this violation.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be REDUCED to \$50.00 (fifty dollars) if the violations are corrected by January 14, 2010, with all junk, trash, and debris removed.

IT IS FURTHER ORDERED that after January 14, 2010, the County may enter the property for the purpose of removing all junk, trash, and debris, at Respondents' expense.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 24th day of December 2009.

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer